



OVER 100 YEARS OF SUPERIOR SERVICE

Artesian Water Company



Artesian Wastewater Management



Artesian Utility Development



Artesian Water Pennsylvania



Artesian Water Maryland



Artesian Wastewater Maryland

Via DelaFile

September 28, 2015

Ms. Donna L. Nickerson, Secretary
Delaware Public Service Commission
861 Silver Lake Boulevard
Cannon Building, Suite 100
Dover, Delaware 19904

Dear Ms. Nickerson:

RE: Artesian Water Company, Inc. CPCN Application- Palau

Enclosed please find a CPCN Application filed on behalf of Artesian Water Company, Inc. to provide water service to 1 parcel located in Sussex County. AWC paid the required \$300 application fee electronically through the Commission's electronic portal *Delafile*.

Please feel free to contact me at (302) 453-6995 should you have any questions regarding this application.

Sincerely,

A handwritten signature in blue ink that reads "David L. Valcarenghi".

David L. Valcarenghi
Manager of Rates and Regulation

cc: John Barndt, DNREC, Division of Water Resources- via email
Grover Ingle, Delaware State Fire Marshall's Office
Constance Holland, Delaware Office of State Planning
Richard Killingsworth, New Castle County Planning Board
Edward Hallock, DHSS, Division of Public Health
David Bonar, Delaware Division of the Public Advocate

BEFORE THE DELAWARE PUBLIC SERVICE COMMISSION
APPLICATION FOR A
CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY

This application is filed consistent with the requirements of Delaware Code 26 Del. C. §203C.

Type of Utility Service: **Water Service**

I. APPLICANT INFORMATION

A). Full legal name and address of Applicant:

ARTESIAN WATER COMPANY, INC. ("AWC")
664 CHURCHMANS ROAD
NEWARK, DE 19702

B). Utility Contact: **DAVID L. VALCARENGHI**

C). Phone No.: **(302) 453-6995**

D). Fax No.: **(302) 369-4041**

E). Email: **dvalcarenghi@artesianwater.com**

II. BASIS FOR APPLICATION

____A. The Applicant is in possession of a signed service agreement with the developer of a proposed subdivision or development, which subdivision or development has been duly approved by the respective county government. (26 Del. C. § 203C (e) (1) (b) (1)).

 X B. The Applicant has one or more petitions requesting water service from the applicant executed by the landowners of record of each parcel or property to be encompassed within the proposed territory to be served. (26 Del. C. § 203C (e) (1) (b) (2)).

____C. The Applicant, in the case of existing development, subdivision, or generally recognized unincorporated community has one or more petitions requesting water service from the applicant executed by the landowners of record of parcels and properties that constitute a majority of the parcels or properties in the existing development, subdivision, or unincorporated community. (26 Del. C. § 203C (e) (1) (b) (3)).

____D. The Applicant possess a certified copy of a resolution or ordinance from the governing body of a municipality that requests, directs, or authorizes the applicant to provide water services to the proposed territory to be

served, which must be located within the boundary of such county and municipality. (26 Del. C. § 203C((e)(1)(b)(4))

III. PROCEDURE

- A. Artesian Water Company, Inc. (AWC) requests that this application be reviewed pursuant to an informal fact finding procedure.

IV. PETITIONS FOR UTILITY SERVICE

- A. Customer Petitions requesting Service- Exhibit A
- B. Customer Notifications of CPCN Application- Exhibit B
- C. Proposed Parcels Included in CPCN- Exhibit C
- D. AWC Certification of Information Accuracy- Exhibit D

V. IDENTIFICATION OF PARCELS

- A. Application includes one situated in New Castle County, Delaware
 - 1. The specific parcel is identified on Exhibit C
 - 2. The parcel is a residential, single dwelling and lot located in Sussex County.
- B. Water service will be provided through the extension of an existing main located near the parcel. The Company estimates it will take approximately one 8-hour day to install a service and provide water service to customer via AWC's system. The timetable for providing service to the property is subject to the control of the owner/customer, accordingly the Company is unable to estimate said timetable.
- C. Tax Maps - Exhibit C.

VI. FINANCIAL AND OPERATIONAL CAPABILITIES

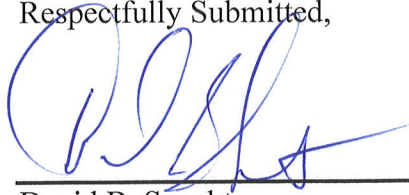
- A. Complete details of the Company are on file with the Commission, including information on Company's finances, and operational and managerial capabilities. A number of reports are on file with the Commission that detail AWC's financial and operational performance.
- B. AWC has been in the business of providing a safe, secure, reliable water supply for customers for over 100 years.
- C. AWC is an affiliate of Artesian Resources Corporation. Information that details the organizational structure of ARC and affiliates is on file with the Commission.
- D. AWC currently serves approximately 81,000 customers throughout the state of Delaware.

- E. AWC facilities are operated by fully licensed operators that have operated in full compliance with applicable federal and state rules, regulations, and laws.
- F. AWC provides water service at all times to present customers of at least the minimum water pressure threshold of 25 pounds. AWC states that it will provide service to the parcel that meet or exceed the water pressure guidelines.
- G. AWC provides superior service and is not subject to any orders from the Commission that found that the Company materially failed to provide adequate or proper safe water services to existing customers.
- H. AWC is not subject to a ruling, decision or finding from DNREC or any other regulatory authority that found the Company materially failed to comply with applicable safe drinking water or water quality standards.

VII. OTHER

- A. AWC's CPCN Application is fully consistent with prior Commission decisions.
- B. This CPCN has been forwarded, for informational purposes, to the following parties:
 - 1. John Barndt, DNREC, Division of Water Resources- via email
 - 2. Grover Ingle, Delaware State Fire Marshall's Office
 - 3. Dorothy Morris, Delaware Office of State Planning
 - 4. John Ashman, Sussex County Engineering Department
 - 5. Edward Hallock, Delaware Department of Public Health
 - 6. David Bonar, Delaware Division of the Public Advocate

Respectfully Submitted,

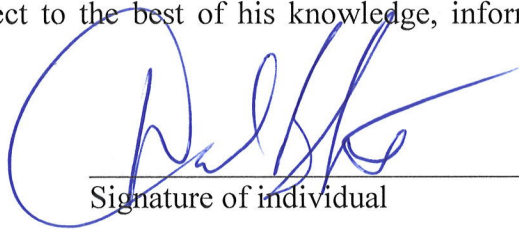


David B. Spacht
Artesian Water Company, Inc.
Chief Financial Officer & Treasurer

AFFIDAVIT

STATE OF DELAWARE)
) SS
COUNTY OF NEW CASTLE)

On this 28th day of September, 2015, personally came before me, the subscriber, a Notary Public in and for the state and county aforesaid, David B. Spacht, the CFO and Treasurer of Artesian Water Company, Inc. known to me personally to be such or having presented to me satisfactory evidence of identity, and acknowledged this document to be his act and deed and the act and deed of such corporation, that the signature of such individual is in his own proper handwriting, and that the facts set forth in this application are true and correct to the best of his knowledge, information, and belief.



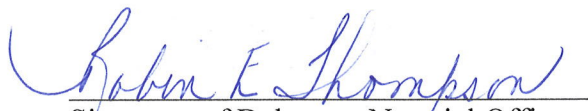
Signature of individual

DAVID B SPACHT

Printed Name

SIGNED AND SWORN (OR AFFIRMED) before me on this 28th day of

September, 2015



Signature of Delaware Notarial Officer
NOTARY PUBLIC

Title (e.g., Notary Public)



My Commission Expires:

10 April, 2016

EXHIBIT A

Artesian Water Company

Water Service Petition

We the undersigned, request to be included in the water service territory of Artesian Water Company, Inc. for the following property in Sussex County, Delaware.

Parcel Nos.: 5-33 20.18 197.00
Property Description: Misc A/C Sussex County, Edgewater Acres Hayes Ave Lot 13

Property Owner(s): Palau, Manuel & Gladys

Signature: Manuel Palau Title: Mr. Date: 8/23/15
by MAP (attorney)

Printed: Manuel Palau

Address: 4701 Fordham Rd., College Park, MD 20740 Telephone 301-277-2823

Signature: _____ Title: Mrs. Date: 8/23/15

Printed: Gladys Palau

Address: 4701 Fordham Rd., College Park, MD 20740 Telephone 301-277-2823

I UNDERSTAND THAT BY SIGNING THIS PETITION MY PROPERTY MAY HAVE TO REMAIN IN ARTESIAN WATER COMPANY, INC'S SERVICE TERRITORY PERMANENTLY. I ALSO UNDERSTAND THAT IT MAY AFFECT MY ABILITY TO OBTAIN A PERMIT FOR A NEW WELL.

IF YOU HAVE ANY QUESTIONS, COMMENTS, OR CONCERNS, PLEASE CONTACT THE PUBLIC SERVICE COMMISSION AT (302) 736-7500 (in Delaware, call 800-282-8574).

Return to
Artesian Water Company, Inc.
664 Churchmans Road
Newark, DE 19702
Attn: Lauri A. Major



Name Search

Sussex County, Delaware - Zoning and Sales Information

PROPERTY DETAILS

- [General Information](#)
- [Appraisal & Assessment Info](#)
- [Sales Info](#)
- [Map of Property](#)

General Information

District-Map-Parcel:

5-33 20.18 197.00

Owner(s) Names:

PALAU , MANUEL & GLADYS

Property Legal Description:

EDGEWATER ACRES
HAYES AVE LOT 13

Billing Address:

4701 FORDHAM RD
COLLEGE PARK , MD 20740

Land Use:

Residential, Single dwelling & lot

Zoning:

Agricultural/Residential

Town/Municipality:

-No Town or Municipality Specified-

Fire District(s):

Roxana Fire District

Tax Ditch(es):

-No Ditch Records-

Sewer/Water**District:**

Fenwick Island

Watershed:

CHINCOTEAGUE

GENERAL POWER OF ATTORNEY

I, Manuel Palau, the undersigned, of 4701 Fordham Road, College Park, Maryland 20740, make, constitute and appoint Manuel A. Palau, of 9206 Midwood Road, Silver Spring, Maryland 20910, my true and lawful attorney-in-fact, in my name, place and stead, on my behalf, and for my use and benefit:

- A. To exercise or perform any act, power, duty, right or obligation whatsoever that I now have, or may subsequently acquire the legal right, power or capacity to exercise or perform, in connection with, arising from or relating to any person, item, transaction, business, real or personal property, tangible or intangible thing or any matter whatsoever;
- B. To request, ask, demand, sue for, recover, collect, receive and hold and possess all such sums of money, debts, dues, commercial paper, checks, drafts, accounts, deposits, legacies, bequests, devises, notes, interests, stock certificates, bonds, dividends, certificates of deposit, annuities, pension and retirement benefits, insurance benefits and proceeds, documents of title, choses in action, real and personal property, and intangible and tangible rights and demands, liquidated or unliquidated, as now are, or shall subsequently become, owned by, or due, owing, payable or belonging to, me, or in which I have or may subsequently acquire interest, to have, use and take all lawful means and equitable and legal remedies, procedures and writs in my name for their collection and recovery, and to adjust, sell, compromise and agree for them, and to make, execute and deliver for me, on my behalf, and in my name, all endorsements, releases, receipts or other sufficient discharges for them;
- C. To lease, purchase, exchange and acquire, and to agree, bargain and contract for the lease, purchase, exchange and acquisition of, and to accept, take, receive and possess any real or personal property, tangible or intangible rights or interests, on such terms and conditions, and under such covenants, as attorney-in-fact shall deem proper;
- D. To maintain, repair, improve, manage, insure, rent, lease, sell, convey, subject to liens, mortgage, subject to deeds of trust and hypothecate, and in any way or manner deal with any part of any real or personal property, tangible or intangible rights or interests, that I now own or may subsequently acquire, in my behalf, and in my name and under such terms and conditions, and under such covenants, as attorney-in-fact shall deem proper;
- E. To conduct, engage in and transact any and all lawful business of whatever nature or kind, on my behalf, and in my name;
- F. To make, receive, sign, endorse, execute, acknowledge, deliver and possess such applications, contracts, agreements, options, covenants, conveyances, deeds, trust deeds, security agreements, bills of sale, leases, mortgages,

assignments, insurance policies, bills of lading, warehouse receipts, documents of title, bills, bonds, debentures, checks, drafts, bills of exchange, letters of credit, notes, stock certificates, proxies, warrants, commercial paper, receipts, withdrawal receipts and deposit instruments relating to accounts or deposits in, or certificates of deposit of, banks, savings and loan or other institutions or associations, proofs of loss, evidence of debts, releases, satisfaction of mortgages, liens, judgments, or security agreements and other debts and obligations, and such other instruments in writing of whatever kind and nature as may be necessary or proper in the exercise of the rights and powers granted.

I grant to my attorney-in-fact full power and authority to do, take and perform all and every act and thing whatsoever requisite, proper or necessary to be done, in the exercise of any of the rights and powers granted, as fully to all intents and purposes as I might or could do if personally present, with full power of substitution, revocation, ratifying and confirming all that attorney-in-fact, or a substitute or substitutes, shall lawfully do or cause to be done by virtue of this power of attorney and the rights and powers granted.

This instrument is to be construed and interpreted as a general power of attorney. The enumeration of specific items, rights, acts or powers is not intended to, nor does it, limit or restrict, and is not to be construed or interpreted as limiting or restricting the general powers granted to attorney-in-fact.

The rights, powers and authority of attorney-in-fact granted shall commence and be in full force and effect as of the date set forth below. Such rights, powers and authority shall remain in full force and effect until terminated by the undersigned, in a writing signed by me.

5/19/84
Date

Manuel Palau
Manuel Palau

State of Maryland, Prince George's County, to wit: I hereby certify, that on this 19 day of May, in the year 2004, before the subscriber, _____, personally appeared Manuel Palau, and acknowledged the foregoing General Power of Attorney to be his act.

Virginia L. Patterson
Notary

VIRGINIA L. PATTERSON
NOTARY PUBLIC - MARYLAND
My Commission Expires March 1, 2008

EXHIBIT B



100 YEARS OF SUPERIOR SERVICE

664 Churchmans Road, Newark, Delaware 19702
P.O. Box 15004, Wilmington, Delaware 19850

Mrs. & Mrs. Palau
4701 Fordham Road
College Park, MD 20740

ENCLOSED IS IMPORTANT
INFORMATION FROM THE PUBLIC
SERVICE COMMISSION THAT
AFFECTS YOUR RIGHTS REGARDING
WATER SERVICE

YOU SHOULD READ THIS NOTICE CAREFULLY

Public records list you as a landowner of the property with the following tax map parcel identification number(s): 5-33 20.18 197.00

Within thirty-five (35) days, Artesian Water Company, Inc. plans to file an application with the Delaware Public Service Commission requesting a Certificate of Public Convenience and Necessity (Certificate) to provide water service to a new territory described as Sussex 082715. Water service can be provided through a water main extension.

Artesian Water Company, Inc. has included your property in the territory it intends to serve. Artesian Water Company, Inc. is unable to estimate when it will provide water service to Sussex 082715.

IF YOU DO NOT TAKE ANY ACTION NOW, YOU MAY LOSE YOUR CHOICE OF WHO CAN PROVIDE WATER SERVICE TO YOUR PROPERTY AND WHETHER YOU CAN OBTAIN A WELL PERMIT.

- 1) You may choose to be included in the utility's proposed service territory. If you signed a petition for water service asking to be included in the utility's proposed service territory, or, if you did not sign a petition for water service but want to be included, you do not have to take any action.
- 2) You have the right to "opt-out" of the utility's proposed service territory. If you "opt-out", your property will not be included in the utility's service territory. You can do this even though others in Sussex 082715 might desire water service from the utility. You should understand that being included in a utility's service territory does not mean that public water service will be immediately available to your property or that, when available, you will be required to hook-up to the public water system. However, if your property is included in the utility's water service territory, and later the water from the well providing your drinking water cannot be used, the Department of Natural Resources and Environmental Control might deny you a permit for a new well if public water is available to your property. On the other hand, if you elect to "opt-out" of the utility's service territory, but later change your mind and decide to connect to the utility's public water system, you could be charged additional fees.
- 3) You may object to the Public Service Commission granting a Certificate for Sussex 082715. For example, you may object that the water utility does not have the legal right to serve the territory. You should review the law about what a utility must provide in order to obtain a Certificate (contact the Public Service Commission to obtain a copy of the law). If you file such an objection, you will need to tell the Public Service Commission why the utility should not receive the Certificate. Please note that an objection will not remove your property from a proposed service territory. To remove your property from the service territory, you must request to "opt-out."

Attached to this letter is a form which allows you (and other owners of the property) to exercise your options. You have seventy-five (75) days from your receipt of this notice to file your objection with the Commission. Although you may exercise your right to "opt-out" of the utility's service territory at any time before the Certificate is granted, if you choose to opt-out, it is requested that you complete the form and

return it to the Public Service Commission at the address listed below within seventy-five (75) days from the date you receive this notice:

Delaware Public Service Commission 861 Silver Lake Boulevard
Cannon Building, Suite 100
Dover, Delaware 19904

If you want to "opt-out" or object, you must send the completed form to the Public Service Commission, even if you already informed the utility of your intent to "opt-out" or object.

If you have any questions, comments or concerns, please contact the Public Service Commission at (302) 736-7500 (in Delaware, call 800-282-8574).

PROPERTY OWNER OPT-OUT/OBJECT FORM

Delaware Public Service Commission
861 Silver Lake Boulevard
Cannon Building, Suite 100
Dover, Delaware 19904

Dear Delaware Public Service Commission:

I/We are the recorded property owner(s), according to current tax records, for the following property/properties: 5-33 20.18 197.00

We received a notice from Artesian Water Company, Inc. that it plans to file an application with the Delaware Public Service Commission for a Certificate of Public Convenience and Necessity (Certificate) to provide water service to a proposed service territory described by Artesian Water Company, Inc. as Sussex 082715 (hereafter, "Proposed Service Territory").

_____ As permitted by applicable law, I hereby opt-out of Artesian Water Company, Inc.'s proposed service territory. I understand that by opting out of the Proposed Service Territory, I may be charged additional fees if I later change my mind and choose to be included in the Proposed Service Territory and receive water service from Artesian Water Company, Inc.

_____ I hereby object to the Artesian Water Company, Inc.'s application for the Certificate of Public Convenience and Necessity. I understand that by objecting to the Artesian Water Company, Inc.'s application I am not merely objecting to being included in the Proposed Service Territory (in which case, I may merely opt out as permitted by electing to opt out above), but rather am objecting to the Commission authorizing Artesian Water Company, Inc. to provide water service to *any territory* within the Proposed Service Territory, including, but not limited to, my own property. The basis of my objection is as follows:

Property Owner(s): *[Property Owner Name]* _____
 [Property Owner Address] _____

Owner's Signature: _____ Date: _____

7015 1660 0001 1139 2661
T992 6621 0000 0991 5100

U.S. Postal Service™	
CERTIFIED MAIL® RECEIPT	
<i>Domestic Mail Only</i>	
For delivery information, visit our website at www.usps.com ®.	
OFFICIAL USE	
Certified Mail Fee	Postmark Here
\$	
Extra Services & Fees (check box, add fee as appropriate)	
<input type="checkbox"/> Return Receipt (hardcopy) \$	
<input type="checkbox"/> Return Receipt (electronic) \$	
<input type="checkbox"/> Certified Mail Restricted Delivery \$	
<input type="checkbox"/> Adult Signature Required \$	
<input type="checkbox"/> Adult Signature Restricted Delivery \$	
Postage	
\$	
Total Postage and Fees	
\$	
Sent To	Mr. + Mrs. Palau
Street and Apt. No., or P.O. Box No.	4701 Fordham Road
City, State, ZIP+4®	College Park MD 20740
PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions	

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Mr. & Mrs. Palau
4701 Fordham Road
College Park, MD
20740



9590 9403 0571 5183 6925 09

2. Article Number (Transfer from service label)

015 1660 0001 1139 2661

PS Form 3811, April 2015 PSN 7530-02-000-9053

COMPLETE THIS SECTION ON DELIVERY

- A. Signature ☐ Agent
☒ Addressee
 B. Received by (Printed Name) C. Date of Delivery
 D. Is delivery address different from item 1? ☐ Yes
 If YES, enter delivery address below: ☐ No

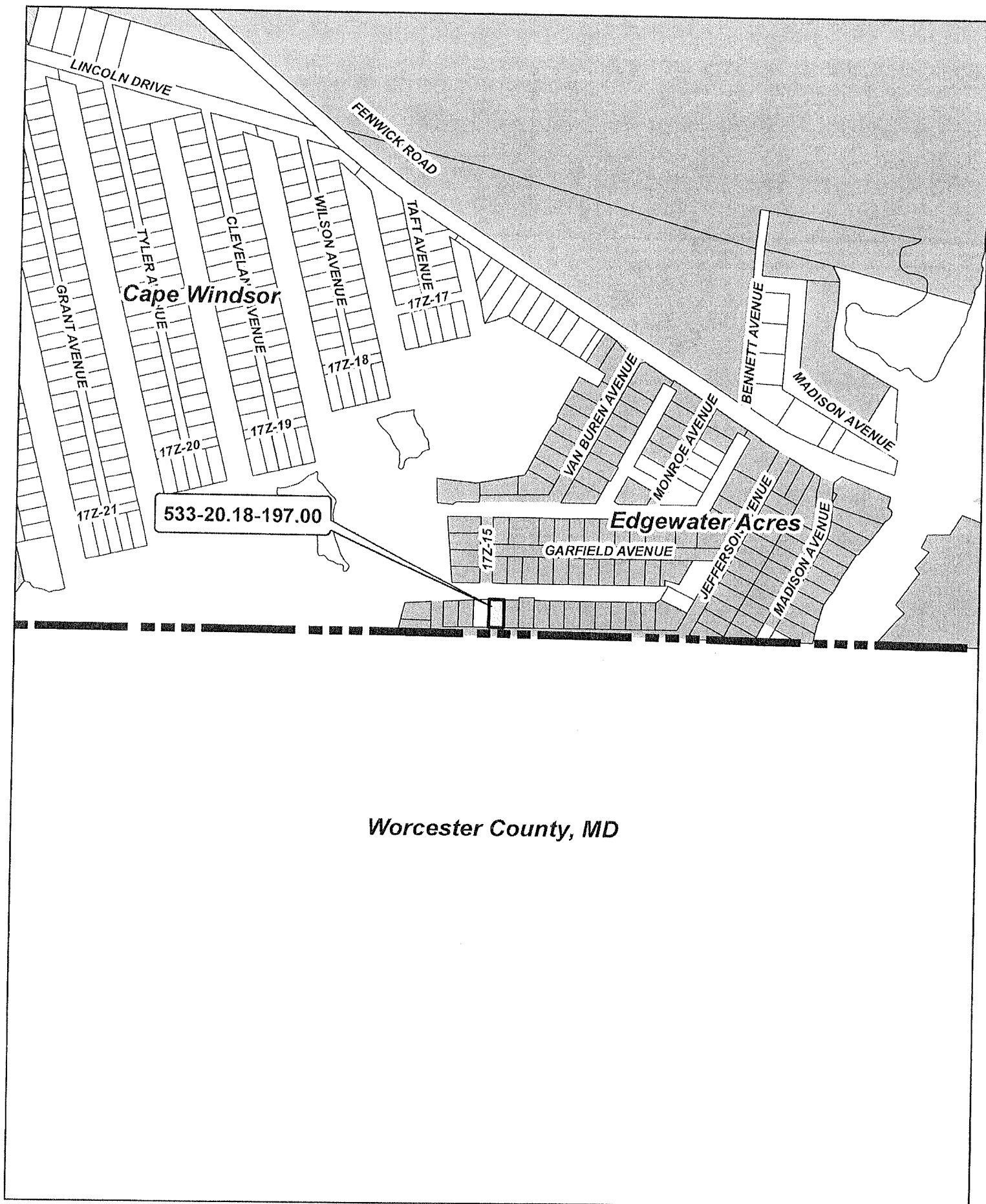
3. Service Type
- | | |
|--|---|
| <input type="checkbox"/> Adult Signature | <input type="checkbox"/> Priority Mail Express® |
| <input type="checkbox"/> Adult Signature Restricted Delivery | <input type="checkbox"/> Registered Mail™ |
| <input checked="" type="checkbox"/> Certified Mail® | <input type="checkbox"/> Registered Mail Restricted Delivery |
| <input type="checkbox"/> Certified Mail Restricted Delivery | <input type="checkbox"/> Return Receipt for Merchandise |
| <input type="checkbox"/> Collect on Delivery | <input type="checkbox"/> Signature Confirmation™ |
| <input type="checkbox"/> Collect on Delivery Restricted Delivery | <input type="checkbox"/> Signature Confirmation Restricted Delivery |
| <input type="checkbox"/> Insured Mail | |
| <input type="checkbox"/> Insured Mail Restricted Delivery (over \$500) | |

Domestic Return Receipt

EXHIBIT C

ARTESIAN WATER COMPANY, INC.
Palau Parcel
Proposed Parcel Included in CPCN Application

PARCEL ID	OWNER NAME	MAILING ADDRESS			PROPERTY ADDRESS
533-20.18-197.00	Sussex Count	STREET	CITY	STATE	ZIP
		4701 Fordham Rd	College Park	MD	20740
					Edgewater Acres Hayes Ave Lot # 13



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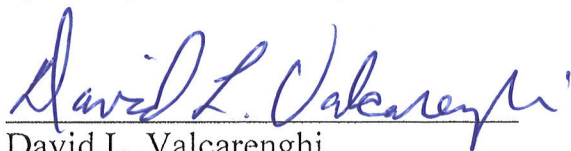
Tax Parcel - 533-20.18-197.00



EXHIBIT D

Certification of Landowner Information Accuracy

I certify that I received appropriate tax or land documents which verify that the individuals in this Application are either landowners of record or agents authorized to act on behalf of entities that control the parcel(s) included in this CPCN Application. I certify that the petitions to provide water service to parcel(s) noted in this Application have been signed by landowners or by dually authorized agents.



David L. Valcarengi